

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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CLAUS PETER SPETH,

Plaintiff,

v.

ROBERT GOODE, et al.,

Defendants.

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HON. JEROME B. SIMANDLE

Civil Action  
No. 95-0264 (JBS/AMD)

**ORDER**

This matter having come before the Court upon Plaintiff's Rule 56(d)(2) motion for a partial summary judgment [Docket Item 104]; the Court having considered the submissions of the parties; for the reasons explained in the Opinion of today's date; and for good cause shown;

IT IS this 9th day of **November, 2010** hereby

ORDERED that the motion is **DENIED**.

s/ Jerome B. Simandle  
JEROME B. SIMANDLE  
United States District Judge